

TRANSLATION**PATENT COOPERATION TREATY****PCT****INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2004P00859WO	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2005/050082	International filing date (day/month/year) 10.01.2005	Priority date (day/month/year) 23.01.2004
International Patent Classification (IPC) or national classification and IPC H04L12/56		
Applicant SIEMENS AKTIENGESELLSCHAFT		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2.	This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.	
3.	This report is also accompanied by ANNEXES, comprising: a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4.	This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input checked="" type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application	

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-6 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 1-11 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/1 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-11	YES
	Claims		NO
Inventive step (IS)	Claims	1-11	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-11	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

1 The application does not meet the requirements of **PCT Article 6** since the claims are not clear. The reasons are as follows:

a) Claim 1 (and claim 2) attempt to define the subject matter in terms of the result to be achieved: "optimal routes are calculated", "the subroutes ... are optimized"; however, in doing so the problem to be solved is specified without indicating the technical features necessary to achieve the result.

b) The term "abort criterion" used in claim 1 has no generally recognized meaning and leaves the reader in doubt as to its implementation. As a result, the definition of the subject matter of this claim is not clear.

c) Claim 2 contains the same feature as claim 1 (here step b) and therefore these claims are not concise.

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2	<p>Owing to the above unclear points, the present examination with regard to novelty and inventive step is carried out with reference to the explanations on pages 3 and 4 of the description.</p> <p>The invention relates to a method for determining routes in a communications network formed by links. For the purpose of determining the best (that is to say, shortest) routes, the network load is likewise taken into consideration by determining a parameter indicating the link traffic load for the links of the communications network.</p> <p>A method of this kind is already known from document D1 (WO 02/46947), wherein for every iteration new routes between every source-sink pair area calculated, wherein costs and traffic volumes (Trafik) are determined until an abort criterion (penalty) is met and the iteration is terminated.</p> <p>The method according to document D2 (EP0753979), in which a modified Bellman-Ford routing algorithm is disclosed, is similar.</p> <p>Although the methods according to document D1 and D2 optimize all route combinations, they do so at the cost of a considerable calculation outlay.</p> <p>The essential advantage of the method according to the invention is that of avoiding a resource-</p>

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
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intensive, multiple calculation of routes by determining only a selection of routes already calculated originally.

Consequently, the subject matter of claim 1 is considered novel and inventive (PCT Article 33(2) and (3)). The subject matter of claim 1 is also industrially applicable.

Dependent claims 2 to 11 contain advantageous embodiments of the subject matter of claim 1 and therefore likewise meet the requirements for novelty, inventive step and industrial applicability.

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Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

The following defects should be addressed:

a) The features known in combination from document D1 should be included in the preamble of independent claim 1 (PCT Rule 6.3(b)).

b) Under PCT Rule 5.1(a)(ii), the description should cite documents D1 to D3 and briefly outline the relevant prior art disclosed therein.